

FAX TRANSMISSION**DATE:** April 16, 2004**PTO IDENTIFIER:** Application Number 10/623076-Conf. #3568
Patent Number**Inventor:** Subhashis BANERJEE et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**FROM:** LAHIVE & COCKFIELD, LLP
Cristin E. Howley.**PHONE:** (617) 227-7400**Attorney Dkt. #:** BPI-189**SECOND ATTEMPT****The first facsimile sent today DID NOT transmit all 14 pages****PAGES (Including Cover Sheet):** 14**CONTENTS:**Amendment Transmittal (1 page); and
Preliminary Amendment (11 pages);

Certificate of Transmission under 37 CFR 1.8 (1 page).

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 227-7400 and send the original transmission to us by return mail at the address below

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

LAHIVE & COCKFIELD, LLP
28 State Street, Boston, Massachusetts 02109
Telephone: (617) 227-7400 Facsimile: (617) 742-4214

PTO/SB/97 (12-97)

Approved for use through 9/30/00. OMB 0651-0031

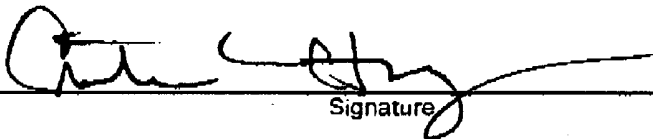
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Certificate of Transmission Under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

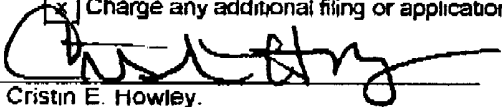
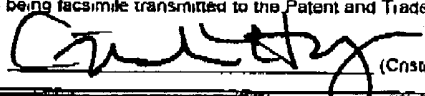
on April 16, 2004
Date


Signature

Cristin E. Howley
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper

Preliminary Amendment (11 pages);
Amendment Transmittal (1 page); and
Certificate of Transmission under 37 CFR 1.8 (1 page).

AMENDMENT TRANSMITTAL LETTER				Docket No. BPI-189	
Application No 10/623076-Conf. #3568		Filing Date July 18, 2003		Examiner Not Yet Assigned	
Applicant(s): Subhashis BANERJEE et al.					
Invention TREATMENT OF PULMONARY DISORDERS USING TNF α INHIBITORS					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application					
The fee has been calculated and is transmitted as shown below					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	65	- 65 =		x	0.00
Independent Claims	20	- 20 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-0080</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17					
 Cristin E. Howley Agent Reg. No.: 55,281				Dated: <u>April 16, 2004</u>	
LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400					
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306, on the date shown below. Dated April 16, 2004 Signature  (Cristin E. Howley)					

Application No.: 10/623076

Docket No.: BPI-189

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Subhashis Banerjee *et al*

Application No.: 10/623076

Confirmation No.: 3568

Filed: July 18, 2003

Art Unit: 1644

For: TREATMENT OF PULMONARY DISORDERS
USING TNF α INHIBITORS

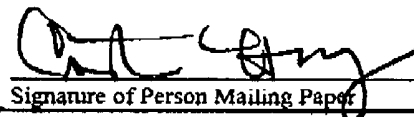
Examiner: Not Yet Assigned

MS Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Transmission Under 37 CFR 1.8Date of Deposit: April 16, 2004

I hereby certify the enclosed documents referred are being transmitted via facsimile to the U.S. Patent and Trademark Office, and addressed to Commissioner for Patents, Post Office Box 1450, Alexandria, VA 22313-1450, Facsimile No. (703) 872-9306, on the date shown above.

Cristin E. Howley
Name of Person Mailing Paper


Signature of Person Mailing Paper

PRELIMINARY AMENDMENT

Dear Sir:

Prior to substantive examination of the above-referenced application, please amend the application as follows.

Amendments to the Specification are reflected at page 2 of this Preliminary Amendment. Amendments to the claims begin at page 3 of this paper. Remarks begin on page 11 of this paper.